

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

MATSUKAWA CO., LLC (n/k/a  
MATSUKAWA CO., LTD), individually  
and on behalf of all others similarly  
situated,

Plaintiffs,

v.

BRASKEM S.A., ROBERTO LOPES  
PONTES SIMÕES, FERNANDO MUSA,  
and PEDRO VAN LANGENDONCK  
TEIXEIRA DE FREITAS,

Defendants.

Case No. 2:20-cv-11366-CCC-ESK

Hon. Claire C. Cecchi, U.S.D.J.

Hon. Edward S. Kiel, U.S.M.J.

**REPLY MEMORANDUM OF LAW IN FURTHER SUPPORT OF LEAD  
PLAINTIFF'S MOTION FOR (I) FINAL APPROVAL OF SETTLEMENT,  
PLAN OF ALLOCATION AND CERTIFICATION OF CLASS; AND (II)  
AN AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF  
EXPENSES AND REIMBURSEMENT OF TIME FOR LEAD PLAINTIFF**

Pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, Lead Plaintiff Matsukawa Co. Ltd. (“Lead Plaintiff”), on behalf of itself and the Class, respectfully submits this reply memorandum in further support of the motions for: (i) final approval of the proposed settlement, plan of allocation, and certification of the Class for settlement purposes; and (ii) an award of attorneys’ fees and reimbursement of expenses, and reimbursement of time for Lead Plaintiff (the “Motions”).

### **ARGUMENT**

For the reasons articulated in the Motions, the Court should grant final approval of the proposed Settlement and approve the requested attorneys’ fees and reimbursement of expenses, and reimbursement of time for Lead Plaintiff. *See* ECF Nos. 67-68. Final approval is further warranted because the period of time to object to the Motions has expired, and no Class Member (or other person or entity) has raised any objection to the Motions. The absence of any objection to any aspect of the Motions demonstrates the Class’s resounding support for final approval.

Moreover, there is not a single request for exclusion from the Settlement – the same as when Lead Plaintiff moved for final approval. *See SUPPLEMENTAL DECLARATION OF JOSEPHINE BRAVATA CONCERNING: (A) MAILING OF THE POSTCARD NOTICE; AND (B) REPORT ON REQUESTS FOR EXCLUSION AND OBJECTIONS RECEIVED*, attached hereto as Exhibit A.

The lack of any objection to the Motions, and the fact that not a single Class Member requested exclusion from the Settlement, strongly supports the fairness of the Settlement, the fee and expense request, and the request to reimburse Lead Plaintiff for its time litigating this case and achieving this Settlement.

### **CONCLUSION**

For the reasons detailed above and in the Motions, Lead Plaintiff and Lead Counsel request that the Court: (i) grant final approval of the Settlement; (ii) approve the Plan of Allocation; (iii) grant final certification of the Class for settlement purposes; and (iv) enter the Judgment in the form attached to the Stipulation (ECF No. 59-2 p. 87-97).<sup>1</sup>

Dated: April 26, 2023

Respectfully submitted,  
SCHNADER HARRISON  
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*Local Counsel for Plaintiff and the  
Proposed Class*

**BERNSTEIN LIEBHARD LLP**  
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<sup>1</sup> For the Court's convenience, attached hereto as Exhibit B is a copy of the relevant Judgment.

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*Co-Lead Counsel for Plaintiff and  
the Proposed Class*

**CERTIFICATE OF SERVICE**

I hereby certify that on April 26, 2023, a true and correct copy of the foregoing document was served by CM/ECF to the parties registered to the Court's CM/ECF system.

/s/ Lisa J. Rodriguez